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Theresa A. Brown  
Intellectual Property Department  
Synergen, Inc.  
1885 33rd Street  
Boulder, Colorado 80301

## COPY MAILED

JUL 21 1995

SPECIAL PROGRAMS OFFICE  
DAC FOR PATENTS

In re Application of :  
Kohno, Kachensky and Harris :  
Application No.: 08/259,413 : DECISION ACCORDING STATUS  
Filed: June 14, 1994 : UNDER 37 CFR 1.47(a)  
Attorney Docket No.: SYNE-210C :  
:

This application was filed on June 14, 1994, naming Kohno, Kachensky and Harris as joint inventors but without an executed oath or Declaration. Papers filed January 3, 1995, in response to a "Notice To File Missing Parts..." mailed August 2, 1994, included:

- (1) a petition under 37 CFR 1.47(a) with fee;
- (2) a Declaration signed by inventors Kohno and Kachensky on behalf of themselves and on behalf of the non-signing inventor Harris in compliance with 37 CFR 1.63;
- (3) an declaration of facts of Theresa A. Brown, with supporting evidence, stating that she transmitted the application papers to inventor Harris but he orally refused to execute the application papers;
- (4) the last known address of the non-signing joint inventor;
- (5) the surcharge; and
- (6) a petition for extension of time with fee.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status and Application Branch is authorized to:

- (1) accept this application under Rule 1.47(a); and
- (2) mail a filing receipt with a filing date of June 14, 1994.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to non-signing inventor Harris at the address given in the petition. Should such notice be returned undelivered, it should be returned to the Office of the Deputy Assistant Commissioner for Patent Policy and Projects and notice of the filing of this application will be published in the Official Gazette when said application is ready for issue and is returned to this Office for review of its Rule 1.47(a) status.

This application is not relieved of its Rule 1.47(a) status and must be returned to this Office of the Deputy Assistant Commissioner for Patent Policy and Projects after mailing any "Notice of Allowability" or "Notice of Allowance and Issue Fee Due" for review of its Rule 1.47(a) status.

After the mailing of the decision, the application will be returned to Application Branch for processing as a Rule 1.47 application as noted above.

*Magdalen Y.C. Greenlief*  
Magdalen Y.C. Greenlief  
Senior Legal Advisor  
Special Program Law Office  
Office of the Deputy Assistant Commissioner  
for Patent Policy and Projects

jeb



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J. Milton Harris  
3119 Highland Plaza  
Huntsville, Alabama 35801

In re Application of  
Kohno, Kachensky and Harris  
Application No.: 08/259,413  
Filed: June 14, 1994  
Attorney Docket No.: SYNE-210C

Dear Mr. Harris:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

*Magdalen Y.C. Greenlief*  
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for Patent Policy and Projects

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